

Panaji, 25th April, 1974 (Vaisakha 5, 1896)

SERIES I No. 4

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Education and Public Works Department

Directorate of Education

ORDER

DE/SEC/GIACODE/71/27511

Sanction is hereby accorded for amending Rules of «Grant in Aid Code for Secondary Schools, Colleges and other Educational Institutions, except the «Primary School» published under the above cited order, in the Government Gazette (2nd Supplement) Series I, No. 34 dated 2-9-1963 as follows:—

Insertion of new rule:— After rule 90 of the Grant in aid Code for Secondary Schools, Colleges and other Educational Institutions except the Primary Schools, the following shall be inserted, namely:— «Rule 90 A:— Disbursement of Staff Salaries—

(1) The payment of staff salaries (including allowances if any) shall be the first charge on the maintenance grant paid to schools. The school shall disburse the salaries and allowances of their staff and credit the Provident Fund Contribution in respect of such of the employees as are Governed by Provident Fund Rules.

Any default in this respect shall be viewed as serious irregularity and the schools shall be liable to suitable penal action therefor.

(2) In case the school fails to pay fully and punctually the salaries of the staff (including allowances if any) the Director of Education, after intimating the management of the full particulars of complaints received regarding such failure of the school, may order an Officer of the Department to hold such enquiry as he may deem fit. If the enquiry Officer is satisfied that:—

(a) though the past instalments of maintenance grants, due to recognised non-Government aided secondary school had been paid, the management of that school had failed to pay the due salaries and allowances to its

teaching and non-teaching staff for a period of not less than two months; or

(b) Owing to some internal dispute within the management of a recognised Non-Government aided secondary school it is not possible to disburse the maintenance grant due to that school, with the result that salaries and allowances of the staff have remained to be paid for a period of not less than 2 months;

he may submit a report accordingly to the Director of Education:—

(i) The Director of Education on going through the report of the enquiry officer and being satisfied that the complaints are justified, may issue an order authorising an officer of the Department to draw the unpaid amount of maintenance grant which has become due and payable to such school and have that amount utilised for paying pro rata the members of the staff of the school against their salaries and allowances if any, which have remained in arrears. Detailed accounts with particulars regarding the disbursement of such amounts should however, be maintained separately and care should be taken to see that amount so drawn is not utilised for any other purpose. If the amount so drawn or any part thereof remains undischarged after the lapse of a month from the date on which it was drawn the same should be credited back to the Government treasury by the said Officer.

(ii) Before paying to the members of the school staff as stated in (i) above, the officer may require each of them to execute an indemnity bond to the effect that if it is subsequently found that the amount paid to any of them or any portion thereof was not really due to him/her, such amount or portion thereof shall be liable to be recovered from him/her.

(iii) The amount of maintenance grant drawn and utilised as stated in (ii) above by the Officer, for payment to the school staff against their outstanding salaries and allowances would stand set off against the grant due to the schools.

By order and in the name of Lt. Governor of Goa, Daman and Diu.

J. C. Almeida, Development Commissioner.

Panaji, 4th April, 1974.

Finance Department (Revenue)

Notification

Fin(Rev)/2-36/AR/8/516/73

In exercise of the powers conferred by sub-sections (3) and (4) of section 13 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956) the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules to amend the Central Sales Tax (Goa, Daman and Diu) Rules, 1973, namely:

1. *Short title and commencement.*—(1) These rules may be called the Central Sales Tax (Goa, Daman and Diu) (First Amendment) Rules, 1974.

(2) They shall come into force at once.

2. *Amendment of Forms.*—In the Central Sales Tax (Goa, Daman and Diu) Rules, 1973 (i) In Form 6, in the last paragraph, for the words and figures "read with section 17 of the Goa, Daman and Diu Sales Tax Act, 1956" the following words and figures shall be substituted; namely:—

"read with section 17 of the Goa, Daman and Diu Sales Tax Act, 1964,"

(ii) In Form 9, for the paragraph "You are hereby directed to pay the sum of Rs ... (in figures) Rupees ... (in words) into the Government Treasury at ... (place) within 60 days from the date of receipt of this notice and furnish the receipted chalan in proof of payment to this office within a week thereafter failing which the said sum will be recoverable from you as arrears of land revenue", the following shall be substituted, namely—

"You are hereby directed to pay the sum of Rs. (in figures), Rupees (in words) into the

Treasury
Sub-treasury
State Bank of India
at ... (Place)

on or before ... (date) and furnish the receipt in proof of payment to this office on or before ... date failing which the said sum will be recoverable from you as an arrears of land revenue."

By order and in the name of the Administrator of Goa, Daman and Diu.

Puran Singh, Finance Secretary.

Panaji, 18th April, 1974.

Law and Judiciary Department

Notification

LD/178/74

The following three notifications received from the Government of India, Ministry of Labour New

Delhi, are hereby published for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 8th February, 1974.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

Dated New Delhi, 110001, 9th January, 1974

Notification

G. S. R.—In exercise of the powers conferred by section 3E, read with section 7 of the Coal Mines Provident Fund, Family Pension and Bonus Scheme Act, 1948 (46 of 1948), the Central Government hereby makes the following Scheme further to amend the Coal Mines Family Pension Scheme, 1971, namely:—

(1) *Short title and commencement.*—(i) This Scheme may be called the Coal Mines Family Pension (Amendment) Scheme, 1974.

(ii) It shall be deemed to have come into force on the 1st day of March, 1971.

(2) *In the Coal Mines Family Pension Scheme, 1971.*—(i) after the proviso to paragraph 3, the following proviso shall be inserted, namely:—

"Provided further that an employee who attains the age of more than 58 years on the date on which he would, but for this proviso, have become eligible for membership or have been required to become a member of this Scheme shall not be eligible for membership under this Scheme";

(ii) in paragraph 12, after sub-paragraph (2) the following sub-paragraph shall be inserted namely:—

"(2A) Where a member who continues to retain his membership of the Family Pension Fund by virtue of the proviso to paragraph 20 dies during the period of reckonable service, the family pension payable shall be calculated by treating the notional age of entry arrived at in the manner specified in sub-paragraph (2) of paragraph 19B as the age of entry";

(iii) at the end of sub-paragraph (1) of paragraph 15, for the words "his family" the following shall be substituted, namely:—

"a member of his family who would have been entitled to receive Family Pension under paragraph 13 and where the member has not left a family, the amount shall be payable to the person or persons entitled to receive his provident fund accumulations in the proportion in which the said accumulations may be payable under the provisions of Coal Mines Provident Fund Scheme.";

(iv) in sub-paragraph (1) of paragraph 16, after the words and figures "to receive the family pension under paragraph 13", the following shall be inserted, namely:—

"and where the member has not left a family, the life assurance benefit shall be payable to

the persons or persons entitled to receive his provident Fund accumulations in the proportion in which the said accumulations may be payable under the provisions of the Coal Mines Provident Fund Scheme”;

(b) after sub-paragraph (1) of paragraph 16, the following proviso shall be inserted, namely:—

“Provided that where a member who continues to retain his membership of the Family Pension Fund by virtue of the proviso to paragraph 20, dies during the period of reckonable service, the life assurance benefit shall be calculated by treating the notional age of entry arrived at in the manner specified in sub-paragraph (2) of paragraph 19-B as the age of entry”.

(v) in sub-paragraph (2) of paragraph 17, after the words figures “to receive Family Pension under paragraph 13”, the following shall be inserted, namely:—

“and where the member has not left a family, the retirement benefit shall be payable to the person or persons entitled to receive his provident fund accumulations in the proportion in which the said accumulations may be payable under the provisions of the Coal Mines Provident Fund Scheme”;

(vi) after sub-paragraph (2) of paragraph 17 the following sub-paragraph shall be inserted, namely:—

“(3) Where a member who continues to retain his membership of the Family Pension Fund by virtue of the proviso to paragraph 20 attains the age of 60 years during the period of reckonable service, the retirement benefit shall be calculated by treating the notional age of entry arrived at in the manner specified in sub-paragraph (2) of paragraph 19-B as the age of entry.

(vii) after sub-paragraph (2) of paragraph 18, the following sub-paragraphs shall be inserted, namely:—

“(3) Where a member of the Family Pension Fund to whom any amount has become payable under sub-paragraphs (1) and (2), dies before the amount has been actually paid to him, the amount payable under sub-paragraphs (1) and (2) shall be payable to a member of his family who would have been entitled to receive family pension under paragraph 13 and where the member has not left a family, the amount shall be payable to the person or persons entitled to receive his provident fund accumulations in the proportion in which the said accumulations may be payable under the provisions of the Coal Mines Provident Funds Scheme”.

“(4) Where a member who continues to retain his membership of the Family Pension Fund by virtue of the proviso to paragraph 20 dies or applies for withdrawal benefit during the period of any break in the membership of the Family Pension Fund, the withdrawal benefit payable shall be calculated in the manner specified in sub-paragraph (1) by treating the notional age of entry arrived at in the manner specified in sub-paragraph (2) of paragraph 19-B as the age of entry”;

(viii) Paragraph 19 shall be renumbered as sub-paragraph (1) thereof and after the paragraph as

so renumbered, the following sub-paragraph shall be inserted, namely:—

“(2) For the purpose of applying the factor given in Table II to the cases governed by sub-paragraph (2A) of paragraph 12, the proviso to sub-paragraph (1) of paragraph 16, sub-paragraph (3) of paragraph 17 and sub-paragraph (4) of paragraph 18, the notional age of entry determined in the manner specified in sub-paragraph (2) of paragraph 19-B shall be deemed to be the age of entry given in Table II of the Schedule to this Scheme”;

(ix) after paragraph 19A the following paragraph shall be inserted, namely:—

19B. Payment of Family Pension and other Benefits in certain cases.— (1) “Where a member of the Family Fund whose membership has been retained under proviso to paragraph 20, dies after the cessation of reckonable service, family pension and life assurance benefit shall not be payable in respect of such member; but only the withdrawal benefit shall be payable to his family who would have been entitled to receive Family Pension under paragraph 13 and where the member has not left a family the benefit shall be payable to the person or persons entitled to receive his provident fund accumulations in the proportion in which the said accumulations may be payable under the provisions of the Coal Mines Provident Fund Scheme.

(2) For the purpose of calculating the withdrawal benefit under sub-paragraph (1) and the other benefits payable under sub-paragraph (2A) of paragraph 12, the proviso to paragraph 16 sub-paragraph (3) of paragraph 17, and sub-paragraph (4) of paragraph 18, the notional age of entry shall be arrived at by deducting the aggregate reckonable service from the age of cessation of membership and the benefit shall be determined by assuming, this notional age as the age at entry.

19C Rounding off the Benefits.— All items of benefit shall be calculated to the nearest quarter of a rupee, that is 12.5 paise or more shall be counted as the next higher quarter of a rupee and fraction of a rupee less than 12.5 paise shall be ignored”.

(x) to paragraph 20, the following provisos shall be added, namely:—

“Provided that where there has been a break in the membership of the Family Pension Fund, on account of the closure of the Coal mines, strikes, lock-out, leave without pay, retrenchment, resignation, termination, discharge or for any other such reason and the period of such break between two spells of reckonable service either in the same coal mine or in different coal mines does not exceed one year, such member, if he has not withdrawn the benefit to which he is entitled under this Scheme and his provident Fund accumulations under the Coal Mines Provident Fund Scheme, shall continue to be a member of the Family Pension Fund”;

Provided further that such breaks during which no contributions to the Family Pension Fund are payable shall be excluded from the total reckonable service in the manner specified in sub-paragraph (2) of paragraph 19B.

(xi) at the end of the paragraph 32 after the words "this scheme" the following shall be inserted namely:—

"to a member of the family pension fund or person belonging to his family or persons entitled to receive his provident fund accumulations";

(xii) in Schedule I, the following entries shall respectively be inserted before the figure '20' in column one and the corresponding figure '23' in column two, namely:—

"18 0.20
19 0.22"

(F. No. S. 70012(2)/73-PF. II(FPG))

Sd./-

DALJIT SINGH
Under Secretary

Dated New Delhi, the 5th December, 1973

Notification

S. O. — Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S. O. 1952 dated the 4th June, 1973, the banking industry carried on by a banking company as defined in clause (bb) of section 2 of the said Act, to be a public utility service for the purposes of the said Act, for a period of six months from the 29th June, 1973.

And whereas the Central Government is of the opinion that public interest requires the extension of the said period by a further period of six months.

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for

the purposes of the said Act for a further period of six months from the 29th December, 1973.

(F.No. S. 11025/19/73.LR-I)

Sd./-

S. S. SAHASRANAMAN

Under Secretary to the Govt. of India

Dated New Delhi 110001, the 6th December, 1973
Agrahayana, 1995

Notification

G. S. R. — The following draft of certain rules further to amend the Minimum Wages (Central) Rules, 1950, which the Central Government proposes to make, in exercise of the powers conferred by section 30 of the Minimum Wages Act, 1948 (11 of 1948), is published as required by sub-section (1) of that section for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of four months from the date of publication of the notification in the Official Gazette.

Any objections or suggestions which may be received from any person with regard to the said draft before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Minimum Wages (Central) Amendment Rules, 1973.

2. In the Minimum Wages (Central) Rules, 1950, in rule 14, for the second proviso, the following proviso shall be substituted, namely:—

"Provided further that the date, the time and place of such adjourned meeting shall be intimated to all the members by telegram or by written communication".

(S-32012(1)/73-W.E.(M.W.)

Sd./-

HANS RAJ CHHABRA

Under Secretary